

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

**IN RE: BOSTON SCIENTIFIC CORP.
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION**

MDL NO. 2326

**PRETRIAL ORDER # 147
(Order Re: Qualified Settlement Fund Sub-Account –
Boston Scientific Corporation & The Levensten Law Firm, P.C.)**

Pending is an Unopposed Motion for Approval of Qualified Settlement Fund Sub-Account, filed June 2, 2016. [ECF No. 1417]. The Levensten Law Firm, P.C. (“Levensten”), as counsel for certain Plaintiffs in this MDL 2326, has moved the Court for entry of an Order to aid in the efficient processing and administration of a confidential settlement agreement (the “MSA”) between Levensten and Boston Scientific Corporation and its related and affiliated entities (“BSC”) as defined in the MSA (collectively, the “Parties”) to resolve the claims of those certain Plaintiffs against BSC, relating to BSC pelvic products.

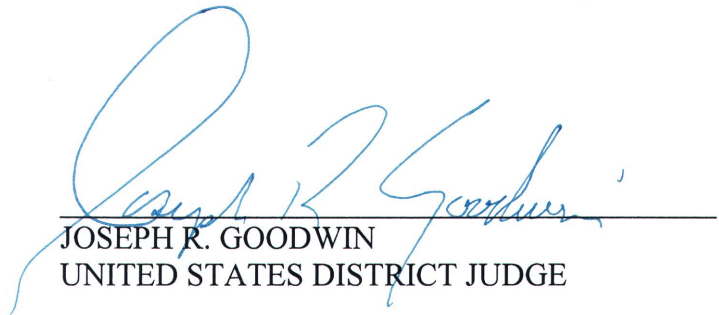
In particular, the Motion seeks an Order (1) approving the Amended and Restated Master Escrow Agreement (the “Master Escrow Agreement”), attached hereto as Exhibit A, which amends and restates the Escrow Agreement approved by Order of this Court in MDL 2187 on December 8, 2015, and (2) approving the creation of the Levensten TVM Settlement Fund BSC Sub-Account (the “BSC Sub-Account”).

The Court, having reviewed the Unopposed Motion for Approval of Qualified Settlement Fund Sub-Account, and finding good and sufficient cause, **FINDS** and **ORDERS** as follows:

- 1) The Unopposed Motion is **GRANTED**;
- 2) The terms of the Master Escrow Agreement are approved; and
- 3) The creation of the BSC Sub-Account within the Levensten TVM Settlement Fund is approved.

The Court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-2326 and it shall apply to each member related case previously transferred to, removed to, or filed in this district *where applicable*, which includes counsel in all member cases up to and including civil action number 2:16-cv-05045. In cases subsequently filed in this district, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action at the time of filing of the complaint. In cases subsequently removed or transferred to this court, a copy of the most recent pretrial order will be provided by the clerk to counsel appearing in each new action upon removal or transfer. It shall be the responsibility of the parties to review and abide by all pretrial orders previously entered by the court. The orders may be accessed through the CM/ECF system or the court's website at www.wvsd.uscourts.gov.

ENTER: June 6, 2016



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE